

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

CIV 07-193 WJ/CEG
CR 02-375 WJ

JUAN CARLOS HERRERA,

Defendant/Movant.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on May 14, 2007 (*Doc. 4*). The proposed findings notify Movant of his ability to file objections and that failure to do so waives appellate review. To date, Movant has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered. The Court concurs with the Magistrate Judge's Proposed Findings and Recommended Disposition.

Wherefore,

IT IS HEREBY ORDERED THAT:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 4*) are adopted;
- 2) the § 2255 motion to vacate, set aside, or correct sentence (*Doc. 1*) is denied; and
- 3) civil case number 07-193 WJ/CEG is dismissed with prejudice.



UNITED STATES DISTRICT JUDGE